

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ANNITRA VERRETT,

Plaintiff,

v.

DALLAS INDEPENDENT SCHOOL  
DISTRICT,

Defendant.

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CIVIL ACTION NO. 3:07-CV-00585-B

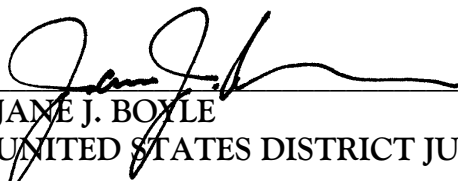
MEMORANDUM ORDER

Before the Court is Plaintiff Annitra Verrett's FRCP 60 Motion (doc. 41) asking the Court to delete its "admonishment" of Counsel in the Memorandum Opinion filed September 3, 2008. Plaintiff's response in opposition to Defendant's Motion for Summary Judgment was untimely filed, but, in the interest of justice, the Court considered Plaintiff's response in making its ruling.

Plaintiff argues its response was timely because, in part, "[a]ccording to FRCP 6, the Responding Party can add three days to any response." However, Plaintiff misquotes the rule. Rule 6(e) applies to situations where "a party must or may act within a prescribed period *after service*." See FED. R. CIV. PROC. 6(e) (emphasis added). Local Rule 7.1(e) provides that "[a] response and brief to an opposed motion must be filed within 20 days *from the date the motion is filed*." N.D. Tex. Rule 7.1(e) (emphasis added). Rule 6 did not extend Plaintiff's deadline to file a response to the motion for summary judgment. Plaintiff's Motion is **DENIED**.

SO ORDERED.

SIGNED October 16, 2008

  
JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE